

Matter of Hull-Johnson
Del. Supr. No. 375, 1997 (9/29/97)
Board Case No. 80, 1995

Disciplinary Rules: DLRPC 5.3(b) and 5.4(a).

Sanctions Imposed: Public reprimand.

The Delaware Supreme Court has approved the findings and recommendations of a panel of the Board on Professional Responsibility (the "Board") and has ordered that Edith H. Hull-Johnson, Esquire (the "Respondent"), a member of the Delaware Bar since 1988 with an office in Georgetown, be publicly reprimanded.

The Respondent and the Office of Disciplinary Counsel (the "ODC") had reached an agreement on a conditional admission pursuant to Board Rule 18, under which the Respondent admitted to certain charges in exchange for a stated form of discipline. After a hearing, the Board approved the proposed conditional admission agreement and recommended that the Court do so as well.

Board Case No. 80, 1995 arose as a result of an investigation by the ODC of the Respondent's books and records, as well as the overall management and organization of her solo practice law office. The petition for discipline in this case alleged that the Respondent had failed to properly and carefully supervise her non-lawyer staff in violation of DLRPC 5.3 (b), in that she had delegated substantial and primary responsibilities for the maintenance of her firm's books and records to a non-lawyer staff person. Later, the same staff person was found to have forged the Respondent's name on several checks and to have misappropriated money from the firm. The non-lawyer eventually pleaded guilty to criminal charges which resulted. In addition, the Respondent had improperly shared legal fees with a member of her non-lawyer staff by giving the non-lawyer a fixed percentage of the legal fees collected in certain cases in violation of DLRPC 5.4(a). The Respondent admitted to these charges in exchange for the imposition of a public reprimand, conditioned upon the payment of the ODC's costs of investigation. The Respondent had no prior disciplinary record.